

The City Council Regular Session meeting was called to order at 7:00 P.M., by Mayor Stu Ferguson with Councilors Miller, Harriman, Houck, and Nesbitt present along with City Attorney Landwehr, City Manager Coleman, City Clerk Davidson, Parks & Recreation Director Ampietro, Public Works Director Bradford, Finance Director Hanson, several interested citizens and the press. WSC Liaison Cruz was not in attendance. A Council quorum was present.

Consideration of Minutes:**Regular Session Meeting Minutes of March 22, 2011.**

Councilor Harriman moved and Councilor Nesbitt seconded the motion to approve the Regular Session Meeting minutes of March 22, 2011, as submitted.

Roll call vote, yes: Miller, Ferguson, Houck, Nesbitt. Motion carried.

Roll call vote, no: None.

Roll call vote, abstain: Harriman. She was not in attendance at the meeting.

Special Session Meeting Minutes of April 5, 2011.

Councilor Harriman moved and Councilor Houck seconded the motion to approve the Special Session Meeting minutes of April 5, 2011, as submitted.

Roll call vote, yes: Harriman, Ferguson, Houck, Nesbitt, Miller. Motion carried.

Roll call vote, no: None.

Pre-Scheduled Citizens: None.

Unfinished Business:

Economic Development Discussion. City Manager Coleman informed Council that the next meeting of the Gunnison Valley Economic Development Strategic Planning Group will be on Thursday, April 21st, at 3pm in the WSC College Center. He placed this item on the agenda for Council to have another opportunity to discuss the City's ideas about Economic Development. Items discussed included the following: which government regulations are inhibiting business? We need to identify and deal with them; which regulations can be streamlined to assist economic development; the strengths and economic drivers listed in the initial document don't seem to tie into the proposed strategies; it makes sense to build on the Valley's strengths and economic drivers; the need to grow enrollment at WSC and what is the WSC involvement; the need to come to the table with something concrete not just vague ideas for a report that will sit on the shelf; the need to determine what we want to be when we grow up; what is our vision; the fact that people don't want to change; we need to showcase our strengths and amenities to attract students, visitors and businesses; take what we've got and work with it; who should pay for economic development council or organization; there's a need to define the objectives first then get a director; use of the monthly Mayor's/Managers' meeting to determine common goals and what can be implemented; the possible grant for a business incubator in the community; the possibility of a solar certification program at WSC and how the City can facilitate the idea; the need to grow existing businesses; and the need to refine the goals and strategies of the proposed plan. The Mayor, Councilor Harriman and Mayor Pro Tem Houck will be attending the meeting on Thursday and City Clerk Davidson will post the meeting.

New Business:**Excuse Councilor Harriman from March 22, 2011, Regular Session Meeting.**

Councilor Nesbitt moved and Councilor Houck seconded the motion to excuse Councilor Harriman from the March 22, 2011, Regular Session Meeting.

Roll call vote, yes: Ferguson, Houck, Nesbitt, Miller, Harriman. Motion carried.

Roll call vote, no: None.

Pole Attachment Agreement with Time Warner Cable. Public Works Director Bradford informed Council that he received a 46 page document from the Federal Communications Commission (FCC) regarding pole attachment regulations. It is Staff's recommendation to sign this Agreement before Council, send it to Time Warner and their corporate attorneys can determine the Agreement's compliance with the new regulations. The new regulations are to level the playing field for broadband providers.

Councilor Miller moved and Councilor Harriman seconded the motion to approve the License Agreement for the Use of Utility Poles between the City of Gunnison and Time Warner NY Cable LLC and authorize the Mayor to sign said Agreement.

Roll call vote, yes: Houck, Nesbitt, Miller, Harriman, Ferguson. Motion carried.

Roll call vote, no: None.

Ordinances and Resolutions:

Ordinance No. 3, Series 2011; Re: Additional Appropriations to 2011 Budget; 1st Reading. Councilor Nesbitt introduced Ordinance No. 3, Series 2011, and it was read by title only by the City Attorney.

Councilor Nesbitt moved and Councilor Harriman seconded the motion that Ordinance No. 3, Series 2011, **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, ADOPTING AN ADDITIONAL APPROPRIATION FOR THE FISCAL YEAR ENDING DECEMBER 31, 2011**, be introduced, read, passed and ordered published on first reading this 12th day of April, 2011, and that copies be made available to the public.

Roll call vote, yes: Nesbitt, Miller, Harriman, Ferguson, Houck. Motion carried.

Roll call vote, no: None.

Resolution No. 7, Series 2011; Re: Canceling May 10, 2011, Schedule Council Meeting. Councilor Houck introduced Resolution No. 7, Series 2011, and it was read by title only by the City Attorney.

Councilor Houck moved and Councilor Harriman seconded the motion that Resolution No. 7, Series 2011, **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, TO CANCEL THE REGULAR SESSION MEETING DATE OF CITY COUNCIL, WHICH WAS ORIGINALLY SCHEDULED FOR MAY 10, 2011**, be introduced, read, passed and adopted this 12th day of April, 2011.

Roll call vote, yes: Miller, Harriman, Ferguson, Houck, Nesbitt. Motion carried.

Roll call vote, no: None.

City Attorney: Rod Landwehr. Nothing to report.

City Manager: Ken Coleman. City Manager Coleman reported Staff is working on a West Haven Condo insurance claim. The electric service was turned off in March, 2009, due to non-payment and did not get turned back on. In January 2011, the Homeowners Association took control of the unit through an auction and they now contend the City didn't turn off the water in the unit so the pipes broke and caused extensive damage. The City followed our Utility Code during the process. Our insurance company has denied the claim. The City Manager also reported the following: there was a good turnout for the Sage Grouse Festival on Saturday; the annual Hartman Rocks Cleanup is Sunday May 1st; the Hartman Trail north of the powerline were opened today; City ditches cleanup is taking place, including work on the Whipp Ditch and the ditches should be turned on the first week of May; Downtown Ditch Project work is almost done and the benches, trash cans, etc. will be removed, repaired, cleaned and replaced; pothole patching is next and the crew is trying out a new pothole patching mix; and the tree dump is open. Council commended the Streets and Water crews for the great job on the downtown ditches. The old grates were a trip hazard and the new ones make snow shoveling and walking much safer. City Manager Coleman also reported he attended last week's Mayors'/Managers' meeting. At the meeting the Upper Gunnison River representative discussed the health of Tomichi Creek. Using criteria from the State of Colorado, a study done found a stretch of Tomichi Creek to be in the "gray-Zone" and have a potential problem. This is determined by studying macro-invertebrates in the stream. The UGRWCD is looking at hiring a consultant to determine where the possible degradation is coming from. The creek section is only 0.46 under the standard.

Acting City Manager: Parks & Recreation Director Ampietro informed Council that work is being done to stabilize the riverbank at the West Tomichi Riverway. The river has undermined the handicap fishing dock so rip-rap is being placed. A new head lifeguard has been hired and they are establishing a wage scale, using our 9 like communities, for that position.

City Clerk: Gail Davidson. The City Clerk reported the Regular Election ballot has been finalized and is at the printers, the required TABOR notice has been mailed out and ballot envelope preparations are underway in her department.

WSC Liaison: Jesse Cruz was absent.

Non-Scheduled Citizens: None.

City Council Discussion, Meeting Reports, Items for Work Session:

Councilor Nesbitt: reported he attended the Water Roundtable Meeting and the RTA meetings last week.

Mayor Pro Tem Houck: reported he also attended the RTA meeting last Friday. They discussed the Continental and American Airlines Programs. They have a commitment to stay in the Houston market. They will give \$400,000 next year to the air program. This is up \$75,000 from this year. CBMR will be contributing \$1 million to the air program. They are very conservative in their budgeting. He informed Council he attended the Sage Grouse Festival on Saturday and had a good time. He presented a City Proclamation at the Gunnison Savings & Loan 100th Anniversary celebration on Monday.

Mayor Ferguson: informed Council he attended the Mayors'/Managers' meeting last Thursday. Some improvements are happening in the Valley. Sales Tax in Crested Butte was up 5.2% in February and was up 5.9% in Mt. Crested Butte. The proposed Mesa State name change was and is being discussed. A short discussion on changing the name of Adams Street ensued.

Councilor Harriman: reported she attended the Sage Grouse Festival and there was a wealth of information. There will be a forum on Monday, April 18th at the College Center Ballroom.

Councilor Miller: nothing to report.

Executive Session:

The purpose of the Executive Session is to Conduct the City Manager's First Quarter 2011 Personnel Evaluation, Pursuant to C.R.S. §24-6-402(4)(f)(I) "Personnel matters except if the employee who is the subject of the session has requested an open meeting, or if the personnel matter involves more than one employee, all of the employees have requested an open meeting."

Councilor Miller moved and Councilor Harriman seconded the motion to go into Executive Session the purpose of which is to conduct the City manager's First Quarter 2011 Personnel Evaluation, as Outlined Under C.R.S. §24-6-402 (4)(f)(I) "Personnel matters except if the employee has requested an open meeting, or if the personnel matter involves more than one employee, all of the employees have requested an open meeting." The Executive Session is not open to the public and action may not be taken.

Roll call vote, yes: Harriman, Ferguson, Houck, Nesbitt, Miller. Motion carried.

Roll call vote, no: None.

Council went into Executive Session at 8:57 P.M.

Council returned to Regular Session at 9:40 P.M. Mayor Ferguson stated the following: "The time is now 9:40 P.M. and the Executive Session has been concluded. The participants in the Executive Session were: Mayor Stu Ferguson, Mayor Pro Tem Jonathan Houck, Councilor Rick Miller, Councilor Ellen Harriman, Councilor Bill Nesbitt and City Manager Ken Coleman. For the record, if any person who participated in the Executive Session believes that any substantial discussion of any matters not included in the motion to go into Executive Session occurred during the Executive Session, or that any improper action occurred during the executive session in violation of the Open Meetings Law, I would ask that you state your concerns for the record." No comments were made.

Adjournment: Mayor Ferguson called for any further discussion, and hearing none, adjourned the meeting at 9:42 P.M.

Mayor

City Clerk